

FORM PTO-1390 (Modified) (REV. 07-2004) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER 257550US0PCT	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/507025	
INTERNATIONAL APPLICATION NO. PCT/EP03/02258	INTERNATIONAL FILING DATE 5 March 2003	PRIORITY DATE CLAIMED 15 March 2002	
TITLE OF INVENTION USE OF AN L-ASCORBIC ACID SALT TO PREPARE A PHARMACEUTICAL COMPOSITION, FOR OPHTHALMIC TOPICAL USE, CAPABLE OF IMPROVING THE LEVEL OF L-ASCORBIC ACID IN THE EYE			
APPLICANT(S) FOR DO/EO/US Mario PINZA, et al.			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input type="checkbox"/> Express Mail Label No. 23. <input checked="" type="checkbox"/> Other items or information: 			
Application Data Sheet/Notice of Priority/Request for Consideration/PCT/IB/304			

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/507025	INTERNATIONAL APPLICATION NO. PCT/EP03/02258	ATTORNEY'S DOCKET NUMBER 257550US0PCT																				
<p>24. The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 75%;"> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO</td> <td style="text-align: right; vertical-align: bottom;">\$1080.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO</td> <td style="text-align: right; vertical-align: bottom;">\$920.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO</td> <td style="text-align: right; vertical-align: bottom;">\$770.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)</td> <td style="text-align: right; vertical-align: bottom;">\$730.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)</td> <td style="text-align: right; vertical-align: bottom;">\$100.00</td> </tr> </table> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <p style="text-align: right;">\$920.00</p>		<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1080.00	<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$920.00	<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$770.00	<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$730.00	<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00	CALCULATIONS PTO USE ONLY										
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<p>Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;"><input type="checkbox"/> 20</td> <td style="width: 20%; text-align: center;"><input checked="" type="checkbox"/> 30</td> <td style="width: 20%;"></td> </tr> </table> <p style="text-align: right;">\$130.00</p>		<input type="checkbox"/> 20	<input checked="" type="checkbox"/> 30																			
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<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>21 - 20 =</td> <td>1</td> <td>x \$18.00</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>0</td> <td>x \$86.00</td> </tr> <tr> <td colspan="2">Multiple Dependent Claims (check if applicable).</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td colspan="2" style="text-align: center;">TOTAL OF ABOVE CALCULATIONS</td> <td>=</td> <td style="text-align: right;">\$1,068.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	21 - 20 =	1	x \$18.00	Independent claims	2 - 3 =	0	x \$86.00	Multiple Dependent Claims (check if applicable).		<input type="checkbox"/>	\$0.00	TOTAL OF ABOVE CALCULATIONS		=	\$1,068.00	
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<p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;"><input type="checkbox"/></td> <td style="width: 20%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 20%; text-align: right;">\$0.00</td> </tr> </table>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$0.00																		
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<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;"><input type="checkbox"/></td> <td style="width: 20%; text-align: center;"><input type="checkbox"/></td> <td style="width: 20%; text-align: right;">\$0.00</td> </tr> </table>		<input type="checkbox"/>	<input type="checkbox"/>	\$0.00																		
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<p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0030</u></p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																						
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>																						
<p>SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: center;">Surinder Sachar Registration No. 34,423</p> <p style="text-align: right;">_____ <i>Surinder Sachar</i> SIGNATURE</p> <p style="text-align: center;">Norman F. Oblon</p> <p style="text-align: right;">_____ NAME</p> <p style="text-align: center;">24,618</p> <p style="text-align: right;">_____ REGISTRATION NUMBER</p> <p style="text-align: right;">_____ <i>Sept. 8 2004</i> DATE</p>																						
<p>CUSTOMER NUMBER 22850</p>																						

10/507025

DT1 C'd PCT/PTO 08 SEP 2004

Docket No. 257550US0PCT

IN RE APPLICATION OF: Mario PINZA, et al.

SERIAL NO: New U.S. PCT Application based on PCT/EP03/02258

FILED: Herewith

FOR: USE OF AN L-ASCORBIC ACID SALT TO PREPARE A PHARMACEUTICAL COMPOSITION, FOR OPHTHALMIC TOPICAL USE, CAPABLE OF IMPROVING THE LEVEL OF L-ASCORBIC ACID IN THE EYE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- No additional fee is required
- Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- Additional documents filed herewith: Credit Card Payment Form for \$1068.00PCT Transmittal Letter
Application Data Sheet/Preliminary Amendment (with cover sheet)/Notice of Priority Request for Consideration/PCT/IB/304/International Search Report
International Preliminary Examination Report

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	21	MINUS	21	0	x \$18 =	\$0.00
INDEPENDENT	2	MINUS	3	0	x \$86 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$290 =	\$0.00
						\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
						TOTAL
						\$0.00

- A check in the amount of \$0.00 is attached.
- Credit card payment form is attached to cover the fees in the amount of \$0.00
- Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon
Norman F. Oblon

Registration No. 24,618

Surinder Sachar

Registration No. 34,423